



LAW OFFICES OF JOHN A. TOSNEY
JOHN A. TOSNEY, SBN: 97183
331 J Street, Suite 200
Sacramento, CA 95814
Tel: (916) 441-4002
Fax: (916) 441-4622

Attorney for Debtor(s)
ERIC CARL DECATUR

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:

ERIC CARL DECATUR,

Debtor(s).

Case No.: 10-41229-E-13L
Mtn. Ctrl. No. JT-2
In Chapter 13
DATE: April 26, 2011
TIME: 1:30 p.m.
DEPT: E, CTRM 33
Honorable Judge Ronald H. Sargis

**DECLARATION OF DEBTOR IN SUPPORT OF MOTION TO CONFIRM FIRST
AMENDED CHAPTER 13 PLAN FILED ON MARCH 7, 2011**

I, ERIC CARL DECATUR, declare:

1. The matters set forth in this declaration are true of my own knowledge, and, if called upon to do so, I could and would competently testify to them.

2. My plan complies with applicable laws. Any fees or charges required by the court have been paid in full. The plan is proposed in good faith and not by any means forbidden by law. All unsecured creditors would receive at least what they would receive in the event of a Chapter 7 liquidation. All secured creditors provided for have either accepted the plan or I have provided for the surrender of property securing their claims, and the plan provides to pay the creditors pursuant to section 1325(a)(5)(B). I will be able to make the plan payments under the plan and comply with the plan according to my schedules I&J. My petition was filed in good faith. I have no domestic support or obligation and any ongoing payments that have fallen due since the filing of our case are current. I have filed all tax returns that are required to be filed.

1 3. I have amended my plan in order to remove my 1st DOT mortgage lender from Class
2 1 and placing my mortgage lender in Class 4 of my plan. I have recently entered into a mortgage
3 modification with my mortgage lender which will absorb all the pre-petition mortgage arrears that
4 were scheduled to be paid through my Chapter 13 plan as well as slightly decrease the ongoing
5 mortgage payment and decrease the interest rate of my new principal loan balance. Therefore, my
6 first amended plan now reflects my new plan payment which will then allow me to reduce the
7 amount my girlfriend assists me with each month. I have filed a separate motion for permission to
8 do the mortgage modification and I have also filed an Amended Schedules I&J to show for my
9 changed circumstances.

10 4. I sincerely wish to complete this case and feel I can do so if my Chapter 13 Plan is
11 confirmed according to the proposed plan terms.

12 I declare under penalty of perjury under the laws of the State of California, that the
13 foregoing is true and correct.

14 Executed on 3/7, 2011, at Sacramento, Sacramento County, California.

15
16 BY:

17 
18 ERIC CARL DECATUR, Declarant
19
20
21
22
23
24
25
26
27
28